

UNITED STATES DISTRICT COURT

MAR 17 2008

for the

Western District of Virginia

JOHN F. GORCORAN, CLERK
BY: *HMcDonald*
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United States of America)

Yolanda Yvonne Hawkins v.)

Case No: 7:02CR00111-001

USM No: 09581-084

Date of Previous Judgment: October 17, 2003

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 96 months months is reduced to (see comments).

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 27Amended Offense Level: 23Criminal History Category: IIICriminal History Category: IIIPrevious Guideline Range: 87 to 108 monthsAmended Guideline Range: 57 to 71 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ Other (explain):

III. ADDITIONAL COMMENTS

Amended Sentence: 66 months OR time served, whichever is longer.

This is an unusual case where the multiple drug conversions to marijuana equivalencies under the amended guideline result in a 4-level decrease in the base offense level.

Except as provided above, all provisions of the judgment dated 10/17/2003 shall remain in effect.

IT IS SO ORDERED.

Order Date: 3-17-08

 Judge's signature

 Effective Date: 3-17-08
 (if different from order date)

 Jackson L. Kiser, Senior United States District Judge
 Printed name and title